

**DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **COLD-WORKED STEELS WITH PACKET-LATH MARTENSITE/AUSTENITE MICROSTRUCTURE** the specification of which \_\_\_\_\_ is attached hereto or   X   was filed on August 20, 2003 as Application No. 10/645,833 and was amended on \_\_\_\_\_ (if applicable).

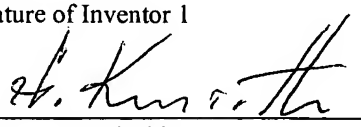
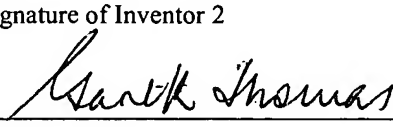
I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/427,830	November 19, 2002

Full Name of Inventor 1:	Last Name: <b>KUSINSKI</b>	First Name: <b>GRZEGORZ</b>	Middle Name or Initial: <b>J.</b>	
Residence & Citizenship:	City: <b>Irvine</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>Poland</b>	
Post Office Address:	Post Office Address: <b>30 via Lucca St., Apartment F215</b>	City: <b>Irvine</b>	State/Country: <b>California</b>	Postal Code: <b>92612</b>
Full Name of Inventor 2:	Last Name: <b>THOMAS</b>	First Name: <b>GARETH</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Cassis</b>	State/Foreign Country: <b>France</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>8, Avenue du Reverend Pere Jayne</b>	City: <b>Cassis</b>	State/Country: <b>France</b>	Postal Code: <b>13260</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Grzegorz J. Kusinski Date: 02 - 11 - 2004	Signature of Inventor 2  Gareth Thomas Date: 02 - 16 - 2004
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<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	<b>Application Number</b>	10/645,833
	<b>Filing Date</b>	August 20, 2003
	<b>First Named Inventor</b>	Grzegorz Kusinski et al.
	<b>Title</b>	Cold-Worked Steels With...
	<b>Art Unit</b>	
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	020030-000910US

I hereby appoint:

☒ Practitioners associated with the Customer Number**20350**

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name			
Signature			
Date	2/19/04	Telephone	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Grzegorz J. Kusinski and Gareth ThomasApplication No./Patent No.: 10/645,833Filed/Issue Date: August 20, 2003Entitled: Cold-Worked Steels With Packet-Lath Martensite/Austenite MicrostructureMMFX Technologies Corporation, a California corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

2/19/04  
Date(949) 476-7600  
Telephone numberDavid Pollack  
Typed or printed nameDavid Pollack  
SignatureChief Executive Officer  
Title

**ASSIGNMENT OF PATENT APPLICATION**

**JOINT**

WHEREAS, Grzegorz J. Kusinski of 30 via Lucca St., Apartment F215, Irvine, CA 92612; and Gareth Thomas of 8, Avenue du Reverend Pere Jayne, Cassis, 13260 France hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:           **COLD-WORKED STEELS WITH PACKET-LATH  
MARTENSITE/AUSTENITE MICROSTRUCTURE**

Date(s) of execution of Declaration:

Filing Date:                 **August 20, 2003**

Application No.:           **10/645,833; and**

WHEREAS, MMFX Technologies Corporation, a corporation of the state of California, located at 2 Corporate Park, Suite 102, Irvine, CA 92606, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

**COPY**

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 02.11.2004

A. Kusinthe.

Grzegorz J. Kusinski

STATE OF )  
 )  
COUNTY OF ) ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Grzegorz J. Kusinski, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

**Dated:**

02/16/04

Garrett Thomas

## Gareth Thomas

**SIGNATURE WITNESSED BY:**

Dated: \_\_\_\_\_

Signature of Witness 1

Dated:

Signature of Witness 2

COPY